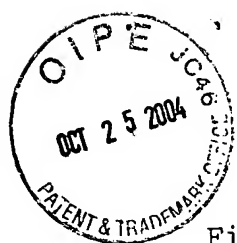


IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Daniel M. Lafontaine

Appln. No. : 10/616,622

Filed : July 10, 2003

For : SYSTEM FOR CLOSING AN
OPENING IN A BODY CAVITY

Docket No.: S13.12-0139

Group Art Unit: 3731

Examiner:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-2450, THIS

22nd DAY OF October, 2004
Joseph K. Bill
PATENT ATTORNEY

Sir:

The patents or publications listed on the enclosed PTO Form-1449 are submitted pursuant to 37 C.F.R. § 1.97. Copies of the patents or publications cited are enclosed.

TIME OF FILING

The information disclosure statement is being filed:

1. X with the application or within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. In accordance with 37 C.F.R. § 1.97(b), no statement or fee is required.
2. after the time period specified in paragraph 1 above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or notice of allowance under 37 C.F.R. § 1.311. Therefore, in accordance with 37 C.F.R. § 1.97(c), submitted herewith is:

(check either A or B below)

- A. a statement as specified in 37 C.F.R. § 1.97(e).
- B. the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement

under 37 C.F.R. § 1.97(c).

3. _____ after the mailing date of either a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant petitions for consideration and submits herewith:
- A. a statement as specified in 37 C.F.R. § 1.97(e);
 - B. the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT

(only used if No. 2(A) or No. 3 above is checked)

The person(s) signing below certify

(check appropriate paragraph)

_____ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(1).

OR

_____ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(2).

METHOD OF PAYMENT

 X No fee is required.

 Attached is a check in the amount of \$_____.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.


Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

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JRK:slg

FORM PTO-1449	Atty. Docket No.: S13.12-0139	Appl. No.: 10/616,622
 <p>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</p>	First Named Inventor:	
	Daniel M. Lafontaine	
	Filing Date	Group Art:
	July 10, 2003	3731

U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
HA	5,643,318	1/1997	Tsukernik et al.	606	214	
HB	5,320,639	6/1994	Rudnick	606	213	
HC	5,254,105	10/1993	Haaga	604	265	
HD	6,162,240	12/2000	Cates et al.	606	213	
HE						
HF						
HG						
HH						
HI						
HJ						
HK						
HL						
HM						
HN						
HO						
HP						
HQ						

FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Class	Sub Class	Translation Yes No
HR	WO 02/096302	12/2002	WIPO			
HS	EP 0467516 A1	1/1992	EP			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

HT	"Notification of Transmittal of The International Search Report or the Declaration", PCT/US2004/018885.
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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.